

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 5, 2003
SAN FRANCISCO, CALIFORNIA**

S097308B144465 Second Appellate District,
Division One

B144920

ADVANCED BIONICS v. MEDTRONIC, INC.
Rehearing denied

Opinion Modified.

S097308B144465 Second Appellate District,
Division One

B144920

Opinion modified - no change in judgment

The opinion herein, filed on December 19, 2002, appearing at 29 Cal.4th 697, is modified as follows: The first two sentences on page 700 are modified to read as follows: "We granted review to consider whether the superior court properly enjoined a party to a California lawsuit from taking any action in a Minnesota proceeding involving the same dispute. We conclude that under principles of judicial restraint and comity the temporary restraining order (TRO) issued here was improper." This modification does not affect the judgment.

S110662SOUTHERN CALIFORNIA EDISON v. LYNCH
Additional issues ordered

The court requests additional briefing on the following question: Did the Public Utilities Commission agree to the October 2, 2001, settlement agreement at a "meeting" as that term is used in the Bagley-Keene Open Meetings Act, Government Code sections 11120-11132.5? Simultaneous briefs shall be filed with 15 days of the date of the this order and shall comply with the length limits in California Rules of court, rule 29.1(d)(2).

S112803

H025323 Sixth Appellate District

WICHMANN, MARRIAGE OF

Petition for review granted; transferred to CA 6

with directions to vacate its order denying petitioner's application for waiver of court fees and costs and reconsider the application in light of Government Code section 68511.3, subdivision (a)(6)(A and rule 985(b) of the California Rules of Court.

Votes: George, CJ., Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno, JJ.

S113212B164256 Second Appellate District,
Division One

FLETCHER (MATTHEW), IN RE

Review granted; transferred to CA 2/1 to issue certiorari

Votes: George, CJ., Kennard, Werdegarr, Chin and Moreno, JJ.

S081000

MAYFIELD (DENNIS) ON H.C.

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus filed on July 30, 1999, is denied. Each claim and subclaim is denied on the merits for failure to state a prima facie case for relief. Each claim and subclaim is barred as untimely (see *In re Robbins* (1998) 18 Cal.4th 770, 780-781) except claims XXXI.C., XXXVIII through XL, and XLII insofar as it alleges denial of meaningful review in the prior habeas corpus proceeding. Each claim and subclaim is barred as successive (see *In re Clark* (1993) 5 Cal.4th 750, 767-768) except claims V, VIII through X, XI.A.1., XI.A.5. and XI.A.8. (to the extent they duplicate claims in the earlier petition), XII.A. (as to victim's alleged propensity for violence), XIV.B., XIV.D., XVI, XVII, XVIII.A. through XVIII.E., XVIII.I., XVIII.L., XXII, XXIII, XXVI, XL, and XLII. Subclaim I.A, as applied to jurors Heskett, Acuna, and Lloyd, and claim II, as applied to jurors

Bathauer, Chavez, Escoto, Gueston, Gutierrez, Holladay, Long, Lloyd, Kingsford, and Bradford, are barred for failure to assert them in the trial court. (See *People v. King* (1970) 1 Cal.3d 791, 804.) Claims VI, VII, and XXV, alleging insufficiency of the evidence, are not cognizable on habeas corpus. (See *In re Lindley* (1947) 29 Cal.2d 709, 723.) Except to the extent they allege ineffective assistance of counsel, the following claims and subclaims are barred because, being based entirely on the facts in the appellate record, they could have been, but were not, raised on appeal (see *In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756, 759): I.A. (as to jurors Heskett, Acuna, and Lloyd), II (except as to jurors Acuna, Brandon, Cordova, and Heskett), XI.A.2.-4., XI.A.7. (to the extent it differs from claims presented on appeal), XI.A.8., XXVII.B.-D., and XXXVII. The following claims and subclaims are barred as repetitive because they were raised in a previous habeas corpus petition that this court denied (see *In re Miller* (1941) 17 Cal.2d 734, 735): V, VIII-X, XI.A.1., XI.A.5. and XI.A.8. (to the extent they duplicate claims in the earlier petition), XII.A. (as to victim's alleged propensity for violence), XIV.B., XIV.D., XVI, XVII, XVIII.A.-E., XVIII.I. and XXVI. The following claims and subclaims are barred because they were raised and rejected on appeal (see *In re Harris* (1993) 5 Cal.4th 813, 825; *In re Waltreus* (1965) 62 Cal.2d 218, 225): VI, VII, XI.A.7. and XI.A.8. (to the extent they duplicate claims raised on appeal), XI.A.9., XIII, XV, XXV, and XXXV. Justice Brown would deny the petition solely on the merits.

S112100

F038121 Fifth Appellate District

AMERICAN VANTAGE CO. v. TABLE MOUNTAIN
Petition for review denied

Baxter, J., was recused and did not participate.
Moreno, J., is of the opinion the petition
should be granted.

S112471

B151354 Second Appellate District,
Division Seven

SPENCER v. HULL

Petition for review denied

S112580

A097145 First Appellate District,
Division One

RUSSIAN RIVER COMMUNITY v. SONOMA

Petition for review & publication request denied

S112760

H023029 Sixth Appellate District

BONO v. CLARK

Petition for review denied

S112779

F037387 Fifth Appellate District

ELICECHI v. FEDERAL LAND BANK ASSOC.

Petition for review denied

S112790

B153439 Second Appellate District,
Division Two

BRAUNER v. SALLYE

Petition for review denied

S112856

C042855 Third Appellate District

CALAVERAS v. S.C. (COLLINS-ROSS)

Petition for review denied

S112882

D038513 Fourth Appellate District,
Division One
D039029

HANIG v. QUALCOMM, INCORPORATED

Petition for review denied

S112903

B152134 Second Appellate District,
Division Six

PEOPLE v. GRIEGO

Petition for review denied

S112916

C040312 Third Appellate District

LILLEY v. CITY OF SACRAMENTO

Petition for review & publication request denied

S112932

G031435 Fourth Appellate District,
Division Two

SONG v. S.C. (SONG)

Petition for review denied

Request for imposition of sanctions denied.

S112951

H022810 Sixth Appellate District

PEOPLE v. GONZALES
Petition for review denied**S112990**

C036703 Third Appellate District

PEOPLE v. MICELI
Petition for review denied**S113005**

C038035 Third Appellate District

OLIVEIRA v. POLLOCK
Petition for review denied**S113010**H023759 Sixth Appellate District
H023854
H023918
H024122
H024184B. (JONATHAN), IN RE
Petition for review denied**S113031**B149009 Second Appellate District,
Division SixPEOPLE v. PIERCE
Petition for review denied**S113033**E032961 Fourth Appellate District,
Division TwoANSALDO ON H.C.
Petition for review denied**S113039**G029308 Fourth Appellate District,
Division ThreePEOPLE v. ERICKSON
Petition for review denied**S113051**B163681 Second Appellate District,
Division OneKACHER v. S.C. (PEOPLE)
Petition for review denied**S113082**E029509 Fourth Appellate District,
Division TwoPEOPLE v. NELSON
Petition for review denied

S113092

E030160 Fourth Appellate District,
Division Two

PEOPLE v. WAGNER

Petition for review denied

S113105

A096924 First Appellate District,
Division Five

PEOPLE v. SPAANZAWACKI

Petition for review denied

S113117

E031482 Fourth Appellate District,
Division Two

PEOPLE v. ANDERSON

Petition for review denied

S113120

B155869 Second Appellate District,
Division Six

PEOPLE v. PILON

Petition for review denied

S113129

B153763 Second Appellate District,
Division Five

PEOPLE v. CLEMENT

Petition for review denied

S113135

F040287 Fifth Appellate District

PEOPLE v. WILLIAMS

Petition for review denied

Baxter, J., was recused and did not participate.

S113137

C034393 Third Appellate District

PEOPLE v. ROMERO

Petition for review denied

S113144

D039937 Fourth Appellate District,
Division One

S. (MEGAN), IN RE

Petition for review denied

S113154

G029217 Fourth Appellate District,
Division Three

PEOPLE v. GARCIA

Petition for review denied

S113155

C039115 Third Appellate District

PEOPLE v. WESBECHER

Petition for review denied

S113156

C038612 Third Appellate District

PEOPLE v. CARMACK

Petition for review denied

S113158B153302 Second Appellate District,
Division Three

PEOPLE v. HYLLAND

Petitions for review denied

S113162

C037544 Third Appellate District

PEOPLE v. MOORE

Petition for review denied

S113163A095432 First Appellate District,
Division One

PEOPLE v. ANDERSON

Petition for review denied

S113164

C043024 Third Appellate District

SECRESS-ZGUTIS v. S.C. (SECRESS)

Petition for review denied

S113166E028978 Fourth Appellate District,
Division Two

PEOPLE v. NEALE

Petition for review denied

S113172B156349 Second Appellate District,
Division Five

O. (DANIEL), IN RE

Petition for review denied

S113174D038930 Fourth Appellate District,
Division One

MASSIE v. SHARP MEMORIAL

Petition for review denied

S113175E031680 Fourth Appellate District,
Division Two

PEOPLE v. MAGDALENO

Petition for review denied

S113176B155189 Second Appellate District,
Division Seven

PEOPLE v. DELEON

Petition for review denied

S113179

B156593 Second Appellate District,
Division Four

PEOPLE v. GUEST

Petition for review denied

S113181

B157900 Second Appellate District,
Division Two

F. (JAMES), IN RE

Petition for review denied

S113193

B156417 Second Appellate District,
Division Four

PEOPLE v. CHAMBERLAIN

Petition for review denied

S113198

H024037 Sixth Appellate District

P. (ERIK), IN RE

Petition for review denied

S113209

B154783 Second Appellate District,
Division Three

PEOPLE v. JOSEPH

Petition for review denied

S113210

B157849 Second Appellate District,
Division Seven

MARZEC v. ARTER & HADDEN

Petition for review denied

S113216

F037353 Fifth Appellate District

PEOPLE v. CORTEZ

Petition for review denied

S113223

B157682 Second Appellate District,
Division Seven

PEOPLE v. VASQUEZ

Petition for review denied

S113227

C039188 Third Appellate District

PEOPLE v. SCOTT

Petition for review denied

S113230

C039159 Third Appellate District

PEOPLE v. MASKOVICH

Petition for review denied

S113233

B150750 Second Appellate District,
Division Four

PEOPLE v. VERDUZCO

Petitions for review denied

S113240

B156076 Second Appellate District,
Division Four

PEOPLE v. CORADO

Petitions for review denied

S113246

B153756 Second Appellate District,
Division Four

PEOPLE v. SANCHEZ

Petition for review denied

S113249

D038367 Fourth Appellate District,
Division One

PEOPLE v. PETERSON

Petition for review denied

S113253

H023457 Sixth Appellate District

PEOPLE v. HAZELAAR

Petition for review denied

S113254

F037676 Fifth Appellate District

PEOPLE v. SHUPP

Petition for review denied

S113255

A095113 First Appellate District,
Division Four

PEOPLE v. ANDERSON

Petition for review denied

S113257

A099282 First Appellate District,
Division Three

PEOPLE v. MALONE

Petition for review denied

S113258

H023603 Sixth Appellate District

PEOPLE v. ARREDONDO

Petition for review denied

S113262

B154547 Second Appellate District,
Division Five

PEOPLE v. ROBINSON

Petition for review denied

S113263

F038681 Fifth Appellate District

PEOPLE v. PEREZ

Petition for review denied

Baxter, J., was recused and did not participate.

S113266B163844 Second Appellate District,
Division One

DIAZ v. APPELLATE DIVISION (PEOPLE)

Petition for review denied

S113267

C038525 Third Appellate District

MCGUIGAN, ESTATE OF

Petition for review denied

S113271

H021423 Sixth Appellate District

PEOPLE v. PETERS

Petition for review denied

S113277G028574 Fourth Appellate District,
Division Three

PEOPLE v. AVILES

Petition for review denied

S113284B154326 Second Appellate District,
Division Three

PEOPLE v. RAMIREZ

Petition for review denied

S113288B153297 Second Appellate District,
Division Three

H. (ANTONIO), IN RE

Petition for review denied

Kennard, J., is of the opinion the petition
should be granted.**S113290**

H022897 Sixth Appellate District

PEOPLE v. QUISTIAN

Petition for review denied

S113302G030212 Fourth Appellate District,
Division Three

OPENSHAW v. LUCIANA'S RISTORANTE

Petition for review denied

S113564

B164178 Second Appellate District,
Division Six

NORIEGA v. S.C. (PEOPLE)

Petition for review and application for stay denied

S113931

B157572 Second Appellate District,
Division Four

STERN v. AMERICAN STATES INSURANCE

Application to transfer denied

The motion to transfer the appeal now pending in the Court of Appeal to another division or district of the Court of Appeal or to this court is denied. The request to stay proceedings in the Court of Appeal is denied.

S106703

FAITH (STEVIN NOEL) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

S107025

SHABAZZ (KAMAU AKILI) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

S107665

BURGUS (RICHARD MANUEL) ON H.C.

Petition for writ of habeas corpus denied

S108037

KOR (JAMES SAMUEL) ON H.C.

Petition for writ of habeas corpus denied

S108098

ESQUERO (JOSE LUIS) ON H.C.

Petition for writ of habeas corpus denied

S108106

VERA (GUILLERMO) ON H.C.

Petition for writ of habeas corpus denied

S108108

JAMESON (BARRY S.) ON H.C.

Petition for writ of habeas corpus denied with citation(s)

S108139

BROWN (CHRISTOPHER) ON H.C.

Petition for writ of habeas corpus denied

S108166	MC GEE (ANTHONY) ON H. C. Petition for writ of habeas corpus denied with citation(s)
S108174	DIAZ (CALISTRO) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108283	SERRANO (HENRY) ON H.C. Petition for writ of habeas corpus denied
S108286	NATHAN (ERIC) ON H.C. Petition for writ of habeas corpus denied
S108307	BALDWIN (GREGORY V.) ON H.C. Petition for writ of habeas corpus denied
S108310	SOLORIO (GUILLERMO) ON H.C. Petition for writ of habeas corpus denied
S108371	PORTER (ESSEX) ON H.C. Petition for writ of habeas corpus denied
S108394	WILSON (JEROME P.) ON H. C. Petition for writ of habeas corpus denied with citation(s)
S108437	GZIKOWSKI (JOHN) ON H.C. Petition for writ of habeas corpus denied with citation(s) Brown, J., was recused and did not participate.
S108464	HOLT (DANA A.) ON H.C. Petition for writ of habeas corpus denied
S108561	HAWKINS (CURTIS C.) ON H.C. Petition for writ of habeas corpus denied
S108577	WASHINGTON (JOHNNY EARL) ON H.C. Petition for writ of habeas corpus denied

S108680	MILLER (ANTHONY R.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108705	JOHNSON (ARTHUR) ON H.C. Petition for writ of habeas corpus denied
S108747	CARRANZA (JAIME) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108781	CARDENAS [CRUZ] ON H.C. Petition for writ of habeas corpus denied
S108786	HATCHETT (TYRONE) ON H.C. Petition for writ of habeas corpus denied
S108787	MILLER (MICHAEL A.) ON H.C. Petition for writ of habeas corpus denied
S108790	FAIRFAX (TOMMY E.) ON H.C. Petition for writ of habeas corpus denied
S108791	BAILEY (REGINALD) ON H.C. Petition for writ of habeas corpus denied
S108796	BROADNAX (TRUMAN) ON H.C. Petition for writ of habeas corpus denied
S108798	RAMOS (FRANK) ON H.C. Petition for writ of habeas corpus denied
S108855	SCOTT (FLOYD DEWAINE) ON H.C. Petition for writ of habeas corpus denied
S108861	MARTINEZ (ARCHIE A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S108883	DEY (EUGENE A.) ON H.C. Petition for writ of habeas corpus denied
S108936	COLLINS (ARNOLD JAMES) ON H.C. Petition for writ of habeas corpus denied
S108939	ZADEH (HAMID) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108945	ORTIZ-WBALDO (ANTONIO) ON H.C. Petition for writ of habeas corpus denied
S108980	MORRISON (RAYMOND) ON H.C. Petition for writ of habeas corpus denied
S108981	THAO (SUE) ON H.C. Petition for writ of habeas corpus denied
S109001	SCOTT (RODNEY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109064	CONNER (KERRY NEAL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109126	DAVALOS (CRUZ) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109156	CABRAL (DANIEL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109158	BARAJAS (JESUS) ON H.C. Petition for writ of habeas corpus denied
S109159	FLORES (DANNY) ON H.C. Petition for writ of habeas corpus denied

S109202	PANIAGUA (MICHAEL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109229	HOPSON (SHANNON R.) ON H.C. Petition for writ of habeas corpus denied
S109360	WILLIAMS (HENRY C.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S109691	HOARE (ROBERT T.) ON H.C. Petition for writ of habeas corpus denied
S109986	JOHNSON (TYRONE D.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110001	MASON (AUGUSTA) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110017	DUNN (KING PATRICK) ON H.C. Petition for writ of habeas corpus denied
S110090	DAVIS (BILLY L.) ON H.C. Petition for writ of habeas corpus denied
S110232	BAILEY (REGINALD) ON H.C. Petition for writ of habeas corpus denied
S110304	THAO (SHOU KEE) ON H.C. Petition for writ of habeas corpus denied
S110367	MENDEZ (GABRIEL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110372	LEWIS (EUGENE) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S110409	MASON (JOEY) ON H.C. Petition for writ of habeas corpus denied
S110415	WOODY (MICHAEL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110467	LERMA (JOSE D.) ON H.C. Petition for writ of habeas corpus denied
S110476	STAICH (IVAN VON) ON H.C. Petition for writ of habeas corpus denied
S110504	MUNOZ (FRANCISCO M.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110507	BARBOSA (SERGIO) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110544	FUJIMOTO (NORMAN) ON H.C. Petition for writ of habeas corpus denied
S110579	CHENG (SAM-BAN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110584	EDWARDS (BRIAN D.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110613	NICHOLS (JAY DE ALDON) ON H.C. Petition for writ of habeas corpus denied
S110665	LUNDBLAD (LESLIE B.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110681	FANIEL (ROMAN) ON H.C. Petition for writ of habeas corpus denied

S110687	TURNER (NORMAN F.) ON H.C. Petition for writ of habeas corpus denied
S110712	SIMMONS (LEON) ON H.C. Petition for writ of habeas corpus denied
S110719	ROBINS (RONALD LEE) ON H.C. Petition for writ of habeas corpus denied
S110724	ROSS (TRACY) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110728	NARY (STEVEN) ON H.C. Petition for writ of habeas corpus denied
S110744	TWINE-CROSS (KECIA D.) ON H.C. Petition for writ of habeas corpus denied
S110779	JOHNSON (COLIN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S110796	PRUITT (EDWARD LEONARD) ON H.C. Petition for writ of habeas corpus denied
S110815	JUAREZ (ARTURO) ON H.C. Petition for writ of habeas corpus denied
S110822	MILINICH (JEFFERY) ON H.C. Petition for writ of habeas corpus denied
S110825	TWINE-CROSS (KECIA D.) ON H.C. Petition for writ of habeas corpus denied
S110997	OTT (GREGORY J.) ON H.C. Petition for writ of habeas corpus denied

S111464BAILEY (REGINALD) ON H.C.
Petition for writ of habeas corpus denied**S111626**VON STAICH (IVAN) ON H.C.
Petition for writ of habeas corpus denied**S112980**MILINICH (JEFFERY) ON H.C.
Petition for writ of habeas corpus denied**S113147**GONZALES (ROBERT A.) ON H.C.
Petition for writ of habeas corpus denied**S112535**

F039272 Fifth Appellate District

S. (DAYNA) v. STATE DEPARTMENT OF SOCIAL SERV
Publication request denied (case closed)

Baxter, J., was recused and did not participate.

S112729E032041 Fourth Appellate District,
Division TwoA. (AARON), IN RE
Publication request denied (case closed)**S113043**A097764 First Appellate District,
Division ThreeM. (KRISTINA), IN RE
Publication request denied (case closed)**S113350**B153368 Second Appellate District,
Division EightRAVEN-MOORE v. L.A. METROPOLITAN TRANSPORTA
Publication request denied (case closed)**S113380**

F039254 Fifth Appellate District

PROTECT OUR WATER v. STANISLAUS
Publication request denied (case closed)**S021054**PEOPLE v. MOON (RICHARD R.)
Extension of time granted

to 5/5/2003 to file respondent's brief.

S029301

PEOPLE v. TULK (JAMES D.)

Extension of time granted

to 5/6/2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 180 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S036864

PEOPLE v. GUERRA (JOSE F.)

Extension of time granted

to 5/5/2003 to file appellant's opening brief. Extension is granted based upon Deputy State Public Defender Arnold Erickson's representation that he anticipates filing that brief by 5/5/2003. After date, no further extension is contemplated.

S041008

PEOPLE v. HOYOS (JAIME A.)

Extension of time granted

to 3/28/2003 to file appellant's opening brief. Extension is granted based upon counsel Lisa R. Short's representation that she anticipates filing that brief by 3/28/2003. After that date, no further extension is contemplated.

S042346

PEOPLE v. JONES (BRYAN)

Extension of time granted

to 5/6/2003 to file appellant's opening brief. After that date, only four further extensions totaling 240 additional days are contemplated. Extension is granted based upon Deputy State Public Defender Joseph E. Cahbot's representation that he anticipates filing that brief by 1/2/2004.

S045184

PEOPLE v. BONILLA (STEVEN W.)

Extension of time granted

to 5/1/2003 to file appellant's opening brief. Extension is granted based upon counsel David A. Nickerson's representation that he anticipates filing that brief by 5/1/2003. After that date, no further extension is contemplated.

S050455

PEOPLE v. BEAMES (JOHN M.)

Extension of time granted

to 5/1/2003 to file appellant's opening brief. Extension is granted based upon counsel Barry L. Morris's representation that he anticipates filing that brief by 5/1/2003. After that date, no further extension will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and take all steps necessary to meet it.

S055130

PEOPLE v. MORGAN (EDWARD P.)

Extension of time granted

to 5/5/2003 to file appellant's opening brief. After that date, only four further extensions totaling about 240 additional days will be granted. Extension is granted based upon Deputy State Public Defender Therene Powell's representation that she anticipates filing that brief by 12/31/2003.

S055652

PEOPLE v. FUIAVA (FREDDIE.)

Extension of time granted

to 3/21/2003 to file appellant's opening brief. After that date, no further extension is contemplated. Extension is granted based upon Michael Satris's representation that he anticipates filing that brief by 3/21/2003.

S056765

PEOPLE v. PARSON (RICHARD R.)

Extension of time granted

to 4/7/2003 to appellant to request correction of the record. Extension is granted based upon counsel Pamala Sayasane's representation that she anticipates filing that request in the superior court by 4/7/2003. After that date, no further extension will be granted. Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S057063

PEOPLE v. ELLIOT (MICHAEL)

Extension of time granted

to 5/2/2003 to file appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon counsel Barry L. Morris's representation that he anticipates filing that brief by 7/1/2003. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S065573

PEOPLE v. BECERRA (FRANK K)

Extension of time granted

to 5/6/2003 to file appellant's opening brief. The court anticipates that after that date, only four further extensions totaling 240 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S065877

PEOPLE v. LOPEZ, SERNA & TRUJEQUE

Extension of time granted

to 5/9/2003 to appellant TRUJEQUE to request correction of the record. After that date, only two further extensions totaling about 120 additional days are contemplated. Extension is granted based upon counsel Mark E. Cutler's representation that he anticipates filing the request in the superior court by 9/1/2003. Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S068230

PEOPLE v. BUTLER, RAYMOND OSCAR

Extension of time granted

to 5/6/2003 to file appellant's opening brief. After that date, only one further extension totaling about 70 additional days will be granted. Extension is granted based upon Deputy State Public Defender Caroline R. Lange's representation that she anticipates filing that brief by 7/15/2003.

S074414

PEOPLE v. ZAMUDIO (SAMUEL J.)

Extension of time granted

to 5/5/2003 to file appellant's opening brief. The court anticipates that after that date, only five further extensions totaling 300 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S074429

PEOPLE v. QUARTERMAIN (DRAX)

Extension of time granted

to 4/7/2003 to file respondent's brief. Extension is granted based upon Deputy Attorney General Sharon G. Birenbaum's representation that she anticipates filing that brief by 4/7/2003. After that date, no further extension is contemplated.

S104589

LUCERO (PHILLIP L.) ON H.C.

Extension of time granted

to 3/28/2003 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days is contemplated. Extension is granted based upon Deputy Federal Public Defenders Mark R. Drozdowski and Grace J. McLean's representation that they anticipate filing that document by 4/25/2003.

S105058A081492 First Appellate District,
Division Three

A088117

PEOPLE v. CAVITT

Extension of time granted

to 3-28-03 for resp to serve & file the answer brief on the merits.

S106718B152628 Second Appellate District,
Division Four

SAV-ON DRUG v. S.C. (ROCHER)

Extension of time granted

for Civil Justice Association of Calif. to serve & file its A/C brief in support of petnr; to 3/17/03. No further extensions of time will be granted.

S106906

E029490 Fourth Appellate District,
Division Two

PEOPLE v. PENA

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to and including March 17, 2003.

S108353

F036961 Fifth Appellate District

PEOPLE v. HOWARD

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's Reply Brief on the Merits is extended to and including 4/2/2003.

S109288

MUSSELWHITE (JOSEPH T.) v. ON H.C.

Extension of time granted

to 3/25/2003 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon counsel Joseph Schlesinger and Dennis Cusick's representation that they anticipate filing that document by 3/25/2003. After that date, no further extension is contemplated.

S106503

B146708 Second Appellate District,
Division Five

JARROW FORMULAS v. LAMARCHE

Application to appear as counsel pro hac vice granted

The application of Steven M. Schneebaum, Patton Boggs LLP, of Washington, D. C. for admission to appear as counsel pro hac vice on behalf of Plaintiff and Appellant Jarrow Formulas, Inc. is hereby granted. (See Cal. Rules of Court, rule 983.)

S076721

PEOPLE v. JONES (WILLIAM)

Counsel appointment order filed

appointing Kimberly J. Grove to represent appellant for the direct appeal.

S014200PEOPLE v. DUNKLE (JON SCOTT)
Order filed

Appellant's application for relief from default is granted. Extension of time is granted to 3/21/2003 to file appellant's reply brief. Extension is granted based upon counsel Conrad Peterman's representation that he anticipates filing that brief by 3/21/2003. After that date, no further extension will be granted.

S015008PEOPLE v. SCHMECK (MARK L.)
Order filed

Appellant's application for order permitting filing of oversize brief is granted.

S022998PEOPLE v. TOWNSEL (ANTHONY L.)
Motion denied

applt's motion filed on 8/2/2002.
(confidential)

S027555PEOPLE v. PRIETO (ALFREDO R.)
Request denied

The request filed on February 12, 2003, for leave to file a letter brief is denied.

S028339PEOPLE v. SMITH (GREGORY CALVIN)
Order filed

The request of appellant for 45 minutes for oral argument is granted.

S028339PEOPLE v. SMITH (GREGORY CALVIN)
Order filed

The request of respondent for 45 minutes for oral argument is granted.

S037195PEOPLE v. KENNEDY (JERRY N.)
Order filed

Appellant's application for relief from default is granted. Extension of time is granted to 4/25/2003 to file appellant's reply brief. Extension is granted based upon counsel Michael Sattris's representation that he anticipates filing that brief by 4/25/2003. After that date, no further extension is contemplated.

S102580STEWART (RICHARD) ON H.C.
Order filed

Counsel's request for relief from default is granted. Extension of time is granted to 3/17/2003 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only five further extensions totaling 140 additional days will be granted. Extension is granted based upon counsel Melissa Hill's representation that she anticipates filing that document by 8/8/2003. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

D035990 Fourth District

PEOPLE v. MULLEN (EUGENE)
Order filed

The time for granting review on the court's own motion is hereby extended to and including April 9, 2003. (Cal. Rules of Court, rule 28(a)(1).)

S113791

B164348 Second Appellate District,
Division Eight

BROWN v. S.C. (PEOPLE)

Transferred to CA 2

The above entitled matter is transferred to the Court of Appeal, Second Appellant District, for consideration in light of Hagan v. Superior Court (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

H025527 Sixth District

GUZMAN v. JUDICIAL COUNCIL OF CALIFORNIA

Transferred to CA 3

The above entitled matter, now pending in the Court of Appeal, Sixth Appellate District, is transferred to the Court of Appeal, Third Appellate District.

118815-03

THE HONORABLE EUGENE M. PREMO, Associate Justice of the Court of Appeal, Sixth Appellate District, is hereby assigned to assist the Supreme Court of California, as a justice thereof, on March 4, 2003, and until completion and disposition for all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: March 4, 2003

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

